

Attachment:
Clarifications Regarding June 19, 2017 Section 208 Request

Request No. 1. Identify all model year (MY) 2011 through 2016 engine families with engines equipped with a Delphi ECM.

No clarifications needed.

Request No. 2. For each engine family identified in response to Question 1, provide the following:

- a. A list of each model sold within that engine family;
 - b. The high speed no-load set point for each model;
 - c. The average governor droop for each model;
 - d. The number of engines sold per model;
 - e. Requests from customers to increase engine power or change the engine speed;
- and
- f. The results of all emissions tests conducted prior to January 1, 2016.

For Requests 2(a), (b) and (c), we understand that EPA is seeking the same type of information for MYs 2011 through 2015 as the Company provided to OTAQ for MY 2016 in response to OTAQ's May 19, 2016 request for data underlying the Company's cycle selection criteria.

For Request 2(d), although this request seeks the number of "engines sold," we understand that EPA is seeking volume information (not specifically sales volumes). EPA understands that Kohler will provide build volumes, consistent with the Company's prior submissions in response to EPA's first Section 208 Request.

Request 2(e) seeks "requests from customers to increase engine power or change the engine speed." EPA clarified that requests to "change the engine speed" to mean requests to change the high speed no load (HSNL) setting. (b) (4)

Based on our July 13 discussion, Kohler will provide (a) a general description of how such requests are

received and acted upon by the Company, and (b) records that reflect the requests that the Company acted upon.

Request 2(f) seeks the “results of all emissions tests conducted prior to January 1, 2016.” Based on our July 13 discussion, the Company will provide development testing data but not Production Line Testing (PLT) data. We further understand that EPA seeks data from development testing of all engines with Delphi ECMs, even for models that did not go into production and requests that Kohler identify development data for those engines that did not go into production. After our discussion, we also understand that EPA is seeking all emissions test results (HC, NOx and CO) and any other tests if conducted under Cycle B regardless of the purpose for those tests.

Request No. 3. Provide all documents generated prior to January 1, 2016, including internal discussions between Kohler employees, regarding the appropriate test cycle to use—i.e., Test Cycle A or Test Cycle B—for any Kohler nonroad SI engines.

The Company notes that this Request seeks documents generated prior to January 1, 2016, but does not specify a start date. In our discussion on July 13, EPA clarified that EPA is seeking documents reflecting discussion of the appropriate test cycle regardless of the time frame in which those discussions took place. As we collect and review documents that may be responsive to this request, we propose to address further with you any appropriate time limitations on our review, taking into account the time period of implementation of 40 C.F.R. Part 1054 (as a successor to 40 C.F.R. Part 90), and the volume of potentially responsive documents.

Request No. 4. Describe Kohler’s standard procedures for calibrating its electronic-fuel injected (EFI) engines, including how long this effort typically takes.


We understand that in this Request EPA is seeking only information regarding engines equipped with the Delphi ECM, (b) (4).

Request No. 5. Identify each Kohler employee or contractor, including those who may no longer be employed by or under contract with Kohler, who was involved in the development, design, testing, or approval of the Subject Calibration. Include:

- a. Name;
- b. Job title (former and current if changed);
- c. Organizational group/business unit;
- d. Work location;

- e. Work email address;
- f. Time period of involvement; and
- g. A description of their general roles and responsibilities, and their specific roles and responsibilities with regard to the Subject Calibration.

This Request seeks a list of each person “who was involved in the development, testing or approval of the Subject Calibration.” Based on our July 13 discussion, the Company will include on the list individuals (b) (4)



Request No. 6. Provide all documents, including internal discussions between Kohler employees, regarding the development, design, testing, or approval of the Subject Calibration. This includes, but is not limited to, documents relating to:

- a. The development and design of the calibration strategy (including open loop threshold) between approximately 2900 and 3100 revolutions per minute (rpm);
- b. The rationale for calibrating the engines to run richer and with less spark advance at speeds between approximately 2900 and 3100 rpm than at speeds greater than 3100 rpm;
- c. The impact of the Subject Calibration on certification testing or fuel economy;
- d. The impact of the Subject Calibration on emissions under Test Cycle A versus Test Cycle B;
- e. The representativeness of certification testing emissions compared to real-world operation; and
- f. The benefits of utilizing the Subject Calibration from a fuel economy or emissions credit perspective.

As we collect and review documents that may be responsive to this request, we propose to address further with you any appropriate time limitations on our review, taking into account our understanding of the timeframe in which the calibrations were first developed and the volume of potentially responsive documents. On July 13, we discussed limiting this request to documents

before January 1, 2016, consistent with the dates in Request Nos. 2 and 3, and we understand that EPA is considering this proposed end date.

This Request also seeks “testing” as an example of the type of information that could be responsive. Based on our discussion, we understand that EPA is not seeking (and the Company will not produce) documents that reflect purely logistical discussions (about the date of testing, for example).

If the Company determines that there is an especially large amount of information that may be responsive to this Request, we understand that EPA is open to discussions about narrowing the scope of the Request to focus on information that is more specifically of interest to the Agency.

Request No. 7. If the Subject Calibration was modified over time, identify the changes that were made and provide a detailed explanation of the basis for any significant modifications to the Subject Calibration. This description should include a list of all tests run pursuant to Kohler’s design verification plan after a major recalibration effort, along with a short description of each test and the approximate amount of time required to complete each test.

As we discussed, as part of its response to the July 2016 Section 208 Information Request, Kohler provided a series of (b) (4).
These files are listed below:

Engine Family	(b) (4)
9992PC	(b) (4)
8242PC	(b) (4)

7472PC	(b) (4)	
7472NC	(b) (4)	
6942PC	(b) (4)	


Our understanding is that EPA will review this information again and advise us of EPA's views about narrowing this request, and that we will address further with you the schedule for our response following EPA's review.

This Request also asks for "all tests run pursuant to Kohler's design verification plan after a major recalibration effort." We understand from our discussion that EPA agrees that the phrase "all tests" may be limited to (b) (4) tests and emissions tests (including HC, NOx and CO emissions and excluding tests in which only CO data were collected).

This request asks for the “approximate amount of time required to complete each test.” We understand from our discussion that EPA is seeking a general description of time frames. Kohler will provide a general description of such time frames either in its response to this request or in response to Request No. 4.

Request No. 8. Provide all presentations made to Kohler’s management or supervisory boards, or any committees or panels thereof, concerning the design, development, marketing, and sale of nonroad SI engines equipped with the Subject Calibration.

This request seeks information regarding Kohler’s engine business over an unspecified period of time. (b) (4)



As we discussed on July 13, the Company proposes initially to provide documents reflecting

(b) (4)

. The Company will provide examples of responsive documents for further EPA feedback regarding the scope of this request and input on the appropriate time frame.